



Patent
Attorney Docket No.: 272/168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8
AW
3-13-03

In re the Application of:

William J. KOHR et al.

Serial No.: 10/086,647

Filed: February 28, 2002

For: HIGH TEMPERATURE HEAP
BIOLEACHING PROCESS

Group Art Unit: 1742

Examiner: Tima M. McGuthry-Banks

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION
[37 C.F.R. 1.321(b) and (c)]

Commissioner for Patents
Washington, D.C. 20231

Sir:

Identification of Person Making This Disclaimer

I, David A. Randall, represent that I am

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☐ a representative authorized to sign in behalf of the assignee identified below.
- ☒ an attorney or agent of record for this application.

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Identity of Owner

The owner of the above-referenced application is:

GeoBiotics, LLC

03/10/2003 HMOHAMM1 00000064 501432 10086647

02 FC:2814 110.00 CH

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231.

February 28, 2003

Date of Deposit

LAI-2034387v1

David A. Randall

Name of Person Mailing Paper

Signature of Person Mailing Paper

Extent of Interest

The extent of the owner's interest in this instant application is to

- ☒ the whole of the invention.
- ☐ a sectional interest in the invention as follows:

Disclaimer

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of:

- ☒ prior United States Patent No. 6,110,253, as presently shortened by any terminal disclaimer,

is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that said patent and the prior patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer.

Fee Status

(37 C.F.R. 1.20(d) and 37 C.F.R. 1.321)

- ☒ Other than small entity -- fee \$110.00.
- ☐ Small entity -- fee \$55.00.

Fee Payment

- ☐ Attached is a check covering the sum of \$110.00.
- ☒ Charge Deposit Account No. **50-1432** for any fee deficiency requested by this paper.
- ☒ Charge Deposit Account No. **50-1432** for the sum of \$110.00. A duplicate of this disclaimer is attached.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

Respectfully submitted,

JONES DAY

Dated: February 28, 2003

By: 

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